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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,730	06/25/2001	Clive Hayball	0584-1041	2086

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,730

Applicant(s)

HAYBALL ET AL.

Examiner

Asghar Bilgrami

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-36 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 25 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Claim 21 is objected to because of the following informalities: It points to claim 14, which was cancelled by the applicant. For examination purposes the examiner has assumed that claim 21 depends on claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Jindal et al (U.S. 6,092,178).

4. As per claims 1, 25-27 & 30 Jindal disclosed a computer readable storage medium storing instructions that, when executed on entities within a network cause the entities to perform a method for handling a resource request (col.1, lines 12-26 & col.5, lines 1-18), the method comprising the steps of; receiving a resource request at a GLLS at a network edge from a client,

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the resource request identifying the requested resource: the GLLS forwarding the resource request to a GDLS at a location remote from the network edge (col.4, lines 43-63 & 5, lines 19-30); the GDLS searching a database for a resource record associated with the requested resource the resource record including a series of executable instructions: the GDLS analyzing a set of resource providers and determining the resource providers compatible with the resource request; the GDLS transmitting a response containing a list of resource providers to the GLLS, the list including server selection criteria associated with the resource providers (lines 34-36); the GLLS selecting the best resource provider in the list according, to the server selection criteria: and the GLLS executing- the executable instructions to facilitate providing the requested resource to the client by the best resource provider (col.5, lines 19-67).

5. As per claim 2 Jindal disclosed a method according to Claim 1, wherein the resource request further comprises information relating to client location in the network and access speed (col.6, lines60-67).

6. As per claim 5 Jindal disclosed a method according to Claim 2 wherein the information is added to the resource request after said resource request is received at the GLLS from the client (col.5, lines 3-47).

7. As per claim 7 Jindal disclosed a method according to claim 1, wherein the GLLS is a DNS server and the step of receiving a resource request comprises receiving a request concerning access to the resource provide (col.5, lines 3-67).

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8. As per claim 8 Jindal disclosed a method according to Claim 1, further comprising the steps of the: the GLLS converting the resource request form operable by the GDLS and transmitting the converted resource request to the GDLS (col.5, lines 3-67).

7. As per claim 10 Jindal disclosed a method according to Claim 1, wherein the requested resource is provided to the client by the best resource Provider via the GLLS (col.5, lines 3-67).

8. As per claim 12 & 13 Jindal disclosed a method according to Claim 1, wherein resource provider is an application (col.5, lines 3-67).

9. As per claim 19 Jindal disclosed a method according to Claim 1, wherein the resource request is a DNS record and the information in the resource request is contained within an additional DNS text field forming part of the DNS record (col.5, lines 3-67).

20. As per claim 20 Jindal disclosed a method according to Claim 16, wherein the response transmitted by the GDLS is a DNS record and the server selection criteria of the compatible resource providers are contained within an additional DNS text field forming part of the DNS record (col.5, lines 3-67).

10. As per claim 21 Jindal disclosed a method according to Claim 1, further comprising

Identifying a lookup means for accessing said resource provider (col.5, lines 3-67).

11. As per claim 22 Jindal disclosed a method according to claim 21 wherein the look up means comprises an address (col.5, lines 3-67).

12. As per claims 23 & 24 Jindal disclosed a method according to Claim 21 wherein the identifying comprises retrieving a second identity of the network entity (col.6, lines 44-59).

13. As per claim 29 Jindal disclosed an architecture according to claim 28, further comprising a content, distribution point manager CDPM associated with the GDL, the CDPM holding information on resource provider, said CDPM configured to provide information on all known resource providers able to supply the requested resource on receiving a query from the GLLS corresponding to the resource request received by GLLS (col.5, lines 3-67).

14. As per claim 31 Jindal disclosed a method according to Claim 2, wherein the sever selection criteria includes information on one of the group comprising: a response time of said resource provider, a load on said resource provider, a distance to the resource provider from the, and a throughput of the resource provider (col.5, lines 3-67).

15. As per claim 32 Jindal disclosed a method according to Claim 1, wherein the requested resource is available on the resource provider but is not available on the GLLS (col.5, lines 3-67).

16. As per claim 33 Jindal disclosed a communications network comprising the scaleable architecture as claimed in claim 27 (col.3, lines 1-26).

17. As per claim 34 Jindal disclosed a method according to Claim 1 wherein the list of resource providers transmitted by the GDLS is in order of their compatibility with the resource request, the most compatible resource provider placed first (col.5, lines 3-67).

18. As per claim 35 Jindal disclosed a method according to Claim 1 wherein the GLLS includes a Content Distribution Point Manager (CDPM), the CDPM adapted to provide information about local resource providers within an ISP domain (col.6, lines 18-59).

19. As per claim 36 Jindal disclosed a method according to Claim 1 wherein the GDLS includes a Content Distribution Point Manager (CDPM), the CDPM adapted to provide information about resource providers throughout the network.

Response to Arguments

20. Applicant's arguments filed 07/28/2005 have been fully considered but they are not persuasive.

21. Applicant argued that "Jundal does not teach the feature of a generic Local Lookup Service (GLLS) at an network edge and a Generic Domain Lookup System (GLDS) at a central location in a network".

22. As to applicants arguments Jundal teaches disclosed a network server that is configured in accordance with the Domain Name Server (DNS) to resolves requests for information or connection to various network entities (col.5, lines 21-32) Jundal also discloses that one or more systems (col.5, lines 34-36) in various combinations (which could include a Generic Local Lookup server) accompanying instructions can be used in the process of satisfying a clients requests adhering to load balancing rules (col.5, lines 3-67).

Conclusion

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami
Examiner
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AB


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